

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

NOV 30 2007

RUSSELL FOUT,

Plaintiff,

v.

Civil Action No. 1:07-CV-108

MICHAEL J. ASTRUE,¹
COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

ORDER

On this day came the federal defendant, Michael J. Astrue, Commissioner of Social Security, and moved the Court to extend the time within which he may answer or otherwise move with respect to the complaint filed herein, and it appearing to the Court that good cause exists for said motion, it is hereby

ORDERED that the time within which the federal defendant may answer or otherwise move is hereby extended and enlarged for 30 days, up to and including January 4, 2008.

Date: November 30, 2007


UNITED STATES MAGISTRATE JUDGE

¹ On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted, therefore, for former Commissioner Jo Anne B. Barnhart, (or Acting Commissioner Linda L. McMahon [if the caption was changed previously]) as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).